

SUF

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Ivan Trejo-Garcia

Defendant.

) Magistrate Case No.

) COMPLAINT FOR VIOLATION OF:

) Title 8, U.S.C., Section 1326;  
) Deported Alien Found in the  
) United States

FILED  
03 MAR 11 10:48  
U8 MJ 0774

The undersigned complainant, being duly sworn, states:

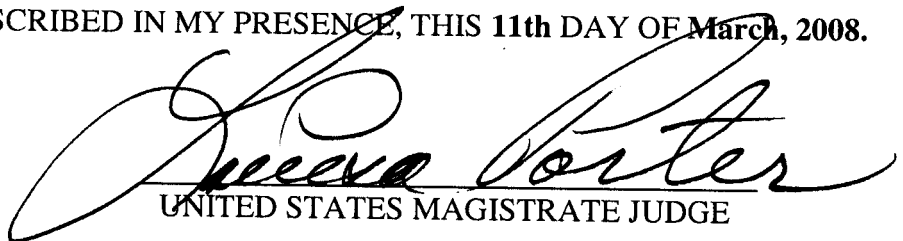
On or about **August 8, 2006**, within the Southern District of California, defendant, **Ivan Trejo-Garcia**, an alien who previously had been excluded, deported and removed from the United States to Mexico, was found in the United States without the Attorney General of the United States, or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States, in violation of Title 8, United States Code, Section 1326.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.



SIGNATURE OF COMPLAINANT  
Deportation Officer  
Immigration & Customs Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS **11th** DAY OF **March**, 2008.



UNITED STATES MAGISTRATE JUDGE

SVF

**CONTINUATION OF COMPLAINT:****NAME: Trejo-Garcia, Ivan****PROBABLE CAUSE STATEMENT**

On Tuesday August 8, 2006, the defendant, identified as Ivan Trejo-Garcia, was arrested in San Diego, California, by the California Highway Patrol for various offenses. An immigration officer subsequently encountered the defendant in custody and placed an immigration detainer on Form I-247. On March 10 2008, at approximately 11:00 a.m., the defendant was referred to the custody of United States Immigration and Customs Enforcement at San Diego, Ca. A Deportation Officer reviewed various sources of information and conducted official record checks in regards to the defendant. These checks confirmed the defendant to be a citizen of Mexico having been previously deported or removed from the United States.

A thorough review of official immigration computer database record checks and information contained in the Alien Registration file revealed that the defendant was most recently ordered removed or deported from the United States by an Immigration Judge on March 2, 2005; and removed to Mexico the same day via the San Ysidro, California Port of Entry. Record checks further indicate that the defendant has not applied to the Attorney General of the United States or the Secretary of the Department of Homeland Security for permission to re-enter the United States.

The Automated Biometric Fingerprint Identification System (IDENT) was utilized and compared the defendant's fingerprints to those contained in this database. The results confirmed his identity as Jose Romero-Arroyo, a citizen and national of Mexico. A photograph and a set of fingerprints contained within the official Alien Registration File were also reviewed and compared to the defendant, further confirming his identity.

All information indicates that the defendant is a citizen of Mexico; was ordered removed to Mexico by an immigration judge; and has no legal right to enter or remain in the United States.

Based upon the foregoing information, there is probable cause to believe that Ivan Trejo-Garcia has illegally re-entered the United States after Deportation, in violation of Title 8 of the United States Code 1326, Deported Alien Found in the United States.